



PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 22, 2005.

Philip D. Askenazy
Philip D. Askenazy, Reg. No. 56,721

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/783,166
Applicant	:	Timothy A. Estes et al.
Filed	:	February 20, 2004
Title	:	Method and Apparatus for Rapid Thermal Testing
TC/A.U.	:	2859
Examiner	:	Verbitsky, Gail Kaplan
Docket No.	:	31662-1001
Confirm. No.	:	7172

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Box Non-Fee Amendment
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Office Action of March 22, 2005, requiring restriction to one of the following inventions: Group I, claims 1-22, drawn to apparatus for thermal testing, classified in class 374, subclass 5; or Group II, claims 23-36, drawn to method of performing thermal testing, classified in class 374, subclass 57.

Applicant provisionally elects the invention of the claims of Group I, claims 1-22 to be examined, with traverse. Therefore, claims 23-36 are withdrawn. Applicant reserves the right to file a divisional application on the remaining claims.

The Examiner asserts that the method of the present invention can be practiced with another apparatus. However, since both groups require varying the temperature of one or more samples,

applicant believes no additional search burden would be borne by the Examiner to examine both groups, and respectfully requests that the restriction requirement be reconsidered and withdrawn.

Should the Examiner have any comments, questions or suggestions relating to a speedy disposition of the application, the Examiner is invited to call the undersigned.

Respectfully submitted,

By:



Philip D. Askenazy, Reg. No. 56,721
Direct line (505) 998-6132

Attorneys for Applicant(s)
PEACOCK, MYERS & ADAMS, P.C.
P.O. BOX 26927
Albuquerque, New Mexico 87125-6927
Telephone: (505) 998-1500
Facsimile: (505) 243-2542

G:\AMDS\Conductor Analysis\166 RR.doc